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**PARTICIPATION OF ETHNIC AND NATIONAL MINORITIES IN THE PUBLIC SPHERE: MEDIA POLICY
FOR POLAND**

EXECUTIVE SUMMARY

Public sphere is a societal space where the exchange of information and views of common concern take place so that public opinion can be formed as a political power. Much the public sphere has been institutionally subsumed under the mass media and mass media are channels through which national and ethnic minorities can participate in the public sphere, so that public opinion is generated and enriched by the minority views. Low visibility of minorities in the mass media, or representation limited to certain images and discourses, as well as roles in the media institutions at all levels, implies weak participation of minorities in the public sphere. In order to increase minorities participation, such media policies should be implemented that will enable not only equal access of minorities to the public and mainstream media, but also pursuing special interest, generate group-based cultural interpretation of society and develop culturally and ethnically diverse group identities. Thus, comprehensive media policy combining principles of anti-discrimination and equal opportunities with principles of cultural diversity and group based cultural politics may help the ethnic and national minorities to achieve greater public visibility leading to articulation of the problems and challenging racial, ethnic and cultural discrimination that cannot be resolved in cultural ghettos.

BACKGROUND

Most part of its history Poland has been multiethnic and multinational. Until 1939, 35% of its population comprised of Jews (the largest community in Eastern Europe), Ukrainians, Belorussians, Germans, Roma people, Lithuanians, Russians and others. After WW II as a result of Holocaust, major migration flows and borderline changes, Poland lost major part of its minority population and 95% of the Polish citizens registered as ethnic Poles. Nevertheless remaining minorities became subjects of unsteady government

policy varying from policies of military pacification, cultural assimilation, anti-Semitic propaganda (March '68) and policy of national homogeneity neglecting minority presence. A model of “cultural pluralism” developed after 1989 was designed to support minorities participation in the public sphere and ‘make them visible’ after almost 45 years of absence. Notwithstanding, the new ethnic policies and cultural practices helped minorities in small extent to enter mass media, and the public sphere. During last five years, vast majority of minority leaders made claims for greater access to the mass media, or demanded changes to the way minorities are portrayed by the media. Others, especially Jewish leaders, emphasised importance of raising public awareness about minorities through the media to combat more effectively anti-Semitic and xenophobic feelings. Thus, the mass media are perceived not only as crucial entry point to public visibility, but also as tools of legitimacy: once minorities are able to influence and contribute to the range of representations on offer within the central communications sectors, they also place their demands and claims into the public discourse, and ultimately exercise their full rights as citizens.

CURRENT SITUATION

Participation of ethnic and national minorities in the public sphere is limited to political and cultural marginalisation by the media representing public in mono-cultural and mono-linguistic terms. At the same time, the policy frameworks are not adequate to meet the needs of situation. The problem has several dimensions:

Minority media

- Decreasing government support, non- competition grant procedure and narrowing financial assistance to the press while neglecting other media formats (e.g. television, radio, internet, etc.) may lead to cultural ghettoization of the minority media serving more and more specific ethnic audiences and presenting less and less particular communities’ perspectives to others.

Public media

- Limiting the role of the public television and radio to the principle of *taking into account needs of national minorities and ethnic groups* may result in neglecting other public broadcasting functions concerning minorities, such as
 - *granting persons belonging to ethnic and national minorities equal access to media production, employment, and portrayal,
 - *avoiding the media contents and practices inciting racial hatred, anti-Semitism or xenophobia,
 - *serving needs of minority groups within their coverage areas, including broadcasting in minority languages.

Public awareness

- Avoiding public awareness campaigns can in longer perspective lead to reproduction of prejudice and stereotypes in social consciousness and to neglect of the role played by the minorities in the forming of cultural heritage and enrichment of the Polish society.

Legal regulations

- Weak legal protection based on minority group rights and anti-discrimination provisions in non-constitutional regulations could lead to lack of effective protection of minorities and persons belonging to minorities before discrimination (especially indirect and institutional), in regards with access to the media.

EU accession requirements

- Delay in ratification of the Framework Convention for the Protection of National Minorities and the European Charter for Regional and Minority Languages, as well as low response to recommendations of the Council of Europe concerning hate speech (No. R(97) 20) and the media and promotion of a culture of tolerance (No. R(97)21) may affect EU accession process.

Institutional framework

- Insufficient institutional basis may cause difficulties in terms of implementing coherent and multicultural media policy as well as ensuring that the interests of members of ethnic and national minorities are

represented or taken into account within councils responsible for guaranteeing the freedom and pluralism of the media.

POLICY OBJECTIVES

The proposed policy argues therefore for the empowerment of ethnic minority communities through their participation in the mainstream media, minority media, public awareness campaigns, and also by means of institutional framework, EU requirements and legal regulations. The objectives of media policy aiming at increased participation of minorities in the public sphere are to:

- Facilitate maintenance of minority media serving specific ethnic audiences as distinctive channels of communication and presenting particular communities' perspectives for transmission to others, also in minority languages.
- Ensure that persons belonging to ethnic and national minorities can access the public media on non-discriminative basis at all levels – including production, employment, and portrayal.
- Encourage the media organisations to develop and adopt equal opportunity policies in employment, training and internal policy in general, respecting the principle of the independence and autonomy of the media.
- Ensure that the interests of members of ethnic and national minorities are represented or taken into account within councils responsible for guaranteeing the freedom and pluralism of the media.
- Increase public awareness through a programme of targeted campaigns and initiative, fighting racial, xenophobic and anti-Semitic prejudice and promoting role played by minorities in the cultural heritage and enrichment of the Polish society.
- Challenge racist, anti-Semitic and xenophobic discourse in the public sphere.

- Accomplish domestic legislation with anti-discrimination and group-based minority regulations and stimulate its enforcement.
- Meet requirements of the European Union in regards with protection of minorities and persons belonging to minorities, and respond to the recommendations of the Council of Europe.
- Provide institutional basis for developing and co-ordinating coherent multicultural media policy.

POLICY OPTIONS

There are three possible alternatives for implementing the proposed media policy:

1. ***anti-discrimination/equal opportunity model*** – structured along the lines of anti-discrimination legislation, applying to all citizens regardless of their national origin, ethnicity, race, culture or religion.. The main goal of this model is to protect persons belonging to minorities before discrimination and ensure their equal participation in the media as channel of public communication. This requires strong efforts at fighting prejudice and discrimination in the public sphere, and also the rigorous enforcement of anti-discrimination laws, as well as changes to the way minorities are portrayed in the media.
2. ***anti-discrimination/cultural diversity model*** – based both on anti-discrimination legislation and group-based minority legislation, applying to all citizens regardless of their national origin, ethnicity, race, culture or religion, with some exceptions applying to members of particular ethnic and national minorities. In addition to protection before discrimination, anti-discrimination/cultural diversity model may require some modification of participation in the public sphere in the form of group-specific minority rights. Without these exceptions (e.g. financial assistance to the minority press), certain groups would be disadvantaged (often unintentionally) in the mainstream.
3. ***cultural diversity/group politics model*** – developed under the framework of special group rights. Within this model, special-group rights are not reducible to individual rights, and in consequence each minority may demand to implement different media policy responding to its needs. Individuals or

subgroups within those minority communities may be dominated, or even discriminated in the name of group solidarity or cultural purity.

RECOMMENDATIONS

Policy and practice in most European states, as well as development of media policy towards national and ethnic minorities in Poland after 1989 inclines to the second model. Balance between elements of anti-discrimination strategies and cultural diversity strategies structures a design for policy of increased participation of national and ethnic minorities in the public sphere, requiring following steps of action:

Institutional framework

An institutional basis should be established that will implement coherent multicultural media policy. This policy should be co-ordinated by the Multicultural Commission co-operating closely with the Parliamentary Commission for National and Ethnic Minorities and the Department for National Minorities Culture. The government should also ensure that the interests of members of ethnic and national minorities are represented or taken into account within councils responsible for guaranteeing the freedom and pluralism of the media.

Media organisations

The Commission will facilitate maintenance of autonomous minority media and other media initiatives invented by minority communities on a basis of grant competition. Together with other governmental agencies, the Commission will encourage both public and commercial media organisations to develop and adopt equal opportunity policies in employment, training and internal policy, while respecting the principle of the independence and autonomy of the media. Finally, in co-operation with the National Broadcasting Council the Commission will ensure that persons belonging to ethnic and national minorities can access the public media on non-discriminative basis at all levels – including production, employment, and portrayal.

Legal framework

The Commission together with the Parliamentary Commission will review the existing legal framework and propose accomplishments, especially with regards to anti-discrimination regulations and Minority Bill. Also, major focus should be given to meeting requirements of the European Union and recommendations of the Council of Europe in regards with minority protection.

Public awareness

The Commission will aim at challenging racist, anti-Semitic and xenophobic discourse in the public sphere, work on increasing public awareness through a programme of targeted campaigns and initiatives fighting racial, xenophobic and anti-Semitic prejudice and it will promote the role played by minorities in the cultural heritage and enrichment of the Polish society.